STRATEGIES FOR HAVING DIFFICULT CONVERSATIONS

_free webinar_

10:00 - 11:30 a.m. Pacific Time, Wednesday, October 11, 2017

*** Advance registration required for this no-charge webinar ***

https://attendee.gotowebinar.com/register/708157335913532162

Webinar topics:
1. What are the major types of conversations that trouble local government professionals?
2. What are effective techniques to have needed conversations constructively?
3. How can people tap resources and practice their skills to boost results?

Presenters:
* Robert Beezat, former city manager in MN, WI, and IL, author, _Character-Based Management: a Key to More Productive and Effective Organizations_, consultant with GovHR USA
* LaSheila Yates, Executive Director and Chief Diversity Officer, Cedar Rapids, IA
* David Ellis, Deputy County Manager, Wake, NC

Audience: all employees

Meets Practice 1 (Staff Effectiveness) and 12 (Human Resources Management) of ICMA’s Practices for Effective Local Government Leadership.

1. Register for the Webinar:

There is no charge for participating in the webinars, but each requires advance registration.

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2. Connect with the webinar and audio:

Use your logon information from the email confirmation you receive via email from GoToWebinar. We recommend the telephone option dial-in number provided by GoToWebinar for sound quality. Depending upon your internet connection, VOIP option for audio (computer speakers) can have delays or sound quality issues.

3. Ask questions:

You may submit questions anonymously via email to ICMACoaching@donmaruska.com in advance or via the webinar during the panel discussion. As moderator for the session, Don Maruska will pose the questions.

4. Presenters’ presentation materials: We post these with the Agenda at “Agendas & Archives” tab of http://icma.org/coachingwebinars. The PPT will be available 24 hours before the webinar.

After a webinar occurs, a digital recording along with a PDF of the presentation materials and results of the polling questions will be available after 24 hours at the "Agendas & Archives“ tab of http://icma.org/coachingwebinars.

Post-Webinar Group Discussions:

Many agencies are organizing groups to participate in the webinars (live or recorded) and discuss the topics among themselves after the webinars. Some are summarizing their discussions and distributing them to managers throughout their organizations. Use the Coaching Program as an effective way to enhance professional development in your agency. Here are some discussion starters for this session.

a. What are difficult conversations where we need to be more effective?
b. What techniques appear desirable for us to employ?
c. How can we practice these skills to gain better results?

MORE RESOURCES--See http://icma.org/coaching for valuable resources to boost your career. Sign up for the complimentary email list at http://icma.org/coachinglist to keep informed of the details for future ICMA Coaching Program sessions and other resources.

Enjoy the resources and support to thrive in local government.

Don Maruska, MBA, JD, Master Certified Coach
Director, ICMA Coaching Program – thrive in local government
Author of “Take Charge of Your Talent” www.TakeChargeofYourTalent.com
Robert Beezat, former city manager in MN, WI, and IL, Author, Character-Based Management: a Key to More Productive and Effective Organizations, consultant with GovHR USA

Robert Beezat has successfully managed a broad range of organizations. He served as the Chief Administrator Officer in several municipalities including Waseca, MN, Mt. Pleasant, WI, Rolling Meadows, IL, and Bayside, WI. He also served as the CEO of a not-for-profit services organization. He helped start and became the eventual owner of The PAR Group, a municipal management consulting business serving a national clientele.

As a management consultant, he has worked with over 350 public, private, and not-for-profit organizations around the country. Currently, he continues to consult with local governments as part of GovHR USA www.govhrusa.com He has also served as an adjunct faculty member at several colleges and universities teaching business, human resource, and supervisory management courses. He holds a Bachelor Degree from Loyola University in Chicago and a Master’s in Public Administration from Roosevelt University in Chicago.

Robert is the author of Character Based Management: A Key to More Productive & Effective Organizations and Knowing and Loving: The Keys to Real Happiness. You can learn more about Robert at his website: www.robertbeezat.com and read a review of his work from the Chicago Tribune at Every workplace needs a Robert Beezat, who proves the humane way wins the day.

LaSheila Yates, Executive Director and Chief Diversity Officer, Cedar Rapids, IA

As of August 2014, LaSheila was hired to serve as tge Executive Director of the City of Cedar Rapids Rapids Civil Rights Commission. In August 2015, in conjunction with her current position, LaSheila was appointed and serves as the City’s first Chief Diversity Officer. LaSheila has worked for the City of Cedar Rapids for over nine years and truly enjoys working a a public servant.
During her leisure, LaSheila enjoys giving back to her community through volunteerism. LaSheila is involved in a variety of local, state, and national organizations. She Co-Chairs the City of Cedar Rapids Employee Diversity, Equity & Inclusion Team, is on the Board at the United Way of East Central Iowa, is a Board member for the Iowa Department of Human Rights, is a Knowledge Advisory Committee member for the International City/County Managers Association, City of Cedar Rapids Chief of Police Advisory Committee member of the Heartland Regional Health Equity Council. LaShiela also serves on the Iowa Women Lead Change EPIC Corporate Challenge Advisory Council, an exoffico member the City of Cedar Rapids Civil Service Commission, Linn County Juvenile Detention and Diversion Services Advisory Board member, member of the Creative Corridor Regional Vision Strategy Steering Committee, and Rotarian at the Rotary Club of Cedar Rapids.

LaSheila has been acknowledged by the local community for her leadership. She is a 2010 Corridor Business Journal Forty Under 40 Emerging Leaders recipient, an African American Museum of Iowa 2013 History Maker, the Women's Equality Coalition of Linn County 2014 Women of the Year, is an Iowa Association of Business and Industry Foundation 2014 Leadership Iowa graduate, and received the 2016 Cedar Rapids NAACP Branch Outstanding Community Service Award. Under her administration, the Commission was awarded the Cedar Rapids NAACP Branch Outstanding Community Service Award for a Small Business in 2016, Corridor Business Journal Women of Influence Award Recipients for 2017, and a 2017 "I Am the Bridge" Award of Distinction from The Academy for Scholastic and Personal Success.

LaSheila received her Bachelor of Science Degree in Sociology in 2004 and Master of Arts Degree 2005 in Social Science from Southern University A&M College (Baton Rouge, LA). She then received a Master of Arts Degree in Sociology from Southern Illinois University (Carbondale, IL) in 2007. She also received her SHRM-CP certification February 2017 and is participating in the Certificated Public Manager’s program at Drake University with an anticipated graduation date of December 2017.

LaSheila is married to Christopher Yates, who is an Engineering Manager at Rockwell Collins.

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**David Ellis**, Deputy County Manager, Wake, NC

David Ellis was selected as Deputy County Manager in February 2015. He most recently served as Assistant City Manager in Charlottesville, Virginia. He brings more than 20 years of local government experience.
He served as Assistant City Manager in Charlottesville for three years. In Fairfax County he served as assistant to the County Executive for nine years. In Fairfax, David managed the Redevelopment and Housing Authority and the Department of Code Compliance. He also established a regional system of human services as the Assistant Director of Human Services.

Ellis holds a bachelor’s degree from James Madison University and a master’s degree in Public Administration from George Mason University and received the designation of credentialed manager through the International City/County Management Association (ICMA).

Ellis oversees the Community Services Department, Environmental Services Department, Human Services Department, Cooperative Extension, Capital Area Workforce Development, and Soil and Water Conservation.
2017 ICMA Coaching Program

Strategies for Having Difficult Conversations

Wed., October 11, 2017
Welcome

ICMA | coaching program

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International Hispanic Network
League of Women in Government
Women Leading Government

National Forum for Black Public Administrators
Achieving Excellence since 1983
Overview of Session

Webinar topics:
1. What are the major types of conversations that trouble local government professionals?
2. What are effective techniques to have needed conversations constructively?
3. How can people tap resources and practice their skills to boost results?

Presenters:
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* David Ellis, Deputy County Manager, Wake, NC
* LaSheila Yates, Executive Director and Chief Diversity Officer, Cedar Rapids, IA

Moderator:
* Don Maruska, Director, ICMA Coaching Program, and author “Take Charge of Your Talent”

...and polls and questions along the way.
Polling Question #1

How many people are listening on your line?
THREE AREAS OF DIFFICULT CONVERSATIONS

• Angry/Upset Citizens
• Elected Official Conflicts
• Performance Evaluation
Your **character**
is the **foundation**
of how you handle
difficult conversations.

Improve your character
and your techniques will improve also.
Open and honest communication with the people we manage is one of the most important factors in the success of an organization.
CHARACTER & EFFECTIVE COMMUNICATIONS

PEOPLE HAVE TO TRUST YOU

PEOPLE CAN SPOT A PHONY PRETTY QUICKLY
CHARACTER & EFFECTIVE COMMUNICATIONS

PEOPLE CAN TELL IF YOU ARE REALLY
- LISTENING TO THEM
- CARE ABOUT THEM
- CARE ABOUT THEIR ISSUE
CHARACTER & EFFECTIVE COMMUNICATIONS

Continuum of Knowledge

Minimal Knowledge / Complete Knowledge

Best information, ideas, & experience from everyone
CHARACTER & EFFECTIVE COMMUNICATIONS

- Lead to a better solution
- Build consensus & commitment
- Everyone takes responsibility
- Only deal with problem once
If it weren’t for the people, 
This job would be easy!
EINSTEIN DEFINITION OF GENIUS

THE ABILITY TO SEE THE CONNECTIONS BETWEEN THINGS THAT NO ONE ELSE SEES.
SHUT UP
&
LISTEN!
Hearing

is an Act of the Senses.

Listening

is a Practice in Focused Attention.

Listening

is an Act of the Will, a Choice.
LISTEN DEEPLY TO UNDERSTAND

- Don’t be thinking of counter arguments
- Don’t be thinking how wrong they are
- Try to understand what they fear
- First thing people say is not their deepest fear
- Feedback how you understand what they think
LISTENING TAKES TIME
-Most decisions do not have to be made immediately

LISTENING TAKES COURAGE
-Afraid to look weak or indecisive
-Taking input projects strength & confidence
It is up to the Manager to make communication work
ANGRY/UPSET CITIZENS

-Listen to hear what they fear

-The first thing they say is not always the deepest reason

-Hear their entire story

-Ask questions to understand their concern

-Feed back to them to see if you understand them correctly

-Then you can share your reasons and work towards a solution
ELECTED OFFICIAL CONFLICTS

ONE OF OUR PRIMARY JOBS AS A MANAGER IS TO BUILD CONSENSUS AMONG OUR ELECTED OFFICIALS
ELECTED OFFICIAL CONFLICTS

Executive Search is More than Finding and Bringing in Candidates to Interview for a position.

Executive Search is a Consensus Building, Decision-making Process
GUNS ARE WELCOME ON PREMISES

PLEASE KEEP ALL WEAPONS HOLSTERED UNLESS NEED ARISES. IN SUCH CASE, JUDICIOUS MARKSMANSHIP IS APPRECIATED.
ELECTED OFFICIAL CONFLICTS

- Listen to hear
- what they have in common
- in terms of
- goals and hopes
- for the community
- and programs/projects
- to achieve them
ELECTED OFFICIAL CONFLICTS

Share feedback and suggest programs using their language
PERFORMANCE EVALUATIONS

- Has to be an on-going dialogue
- Really care about the employee
- Bring out the best in them
- Help them develop talents & skills
PERFORMANCE EVALUATIONS

REQUIRE EMPLOYEES TO COME UP WITH SOLUTIONS TO IMPROVE THEIR PERFORMANCE
TAPPING RESOURCES & PRACTICING SKILLS TO BOOST RESULTS
Evaluate your own character-related behaviors which contribute to good conversations
You Can Improve Your Character
Need conscious effort
Need regular reminders
Use the free app
Read Chapter 7
“Character and Communication”

www.characterbasedmanagement.net
HAVE A VISIBLE REMINDER
TO FREQUENTLY REMIND YOU
TO IMPROVE YOUR COMMUNICATION SKILLS

LOOK FOR ROLE MODELS
WHO ARE SUCCESSFUL
IN HAVING DIFFICULT CONVERSATIONS.
CARNEGIE HALL
IMPROVING CHARACTER

PRACTICE
PRACTICE
PRACTICE
We Will Never be Perfect.

We can always Get Better
Polling Question #2

Which skills would you like to develop further?
Navigating Difficult Conversations in the Workplace

David Ellis
October 11, 2017
Common Types of Difficult Conversations In the Workplace

1. Personnel Related
2. Citizen/Resident Related
3. Elected Official Related
4. Manager-Deputy/Assistant Related
Foundation for Difficult Conversations

- Understand and be well versed on the topic at hand (no crib notes allowed);
- Choose your words carefully;
- Remember this is a dialogue - ensure your active listening skills are sharp;
- Be willing to change your decision - if warranted;
- Rehearse (if possible) the discussion
Personnel Related

1. Compensation Conversations
   • Underpaid or unappreciated
   • Apples to Apples or Apples to Mangos??

2. Individual/Department Performance
   • Reward and praise if performance exceeds expectation
   • Assist Department Head in identifying where the issues arise from (Leadership, Staffing, Management)

3. Lack of Transparency and/or Honesty
   • Not being forthcoming with the truth
   • Difficult to move forward
Citizen/Resident Related

Can be the Most Difficult Conversations

1. Respect the person whom you are engaged with;
   • Treat them with the utmost of respect
   • Focus on the person at hand

2. Don’t Rely on Your Degrees and Experience;
   • This is a conversation, not a lecture
   • Use language everyone can understand
   • Use the opportunity to learn from them

3. Don’t Respond with Frustration or Anger;
   • Their anger and frustration is typically not personal
   • Be empathetic to their concern
   • If possible don’t pass them off to another department

4. Keep Your Word & Follow Up
Elected Official Conversations

1. Confident But Not Cocky On the Subject Matter;
   • No Notes Allowed

2. Provide Them With Multiple Options and A Staff Recommendation;
   • Provide Options for Discussion Purposes
   • Best Case Scenario, Worst Case Scenario and Most Likely Scenario

3. Understand the Consequences and Unintended Consequences of Their Action or Lack of Action

4. Frankness and Honesty Are Needed
Manager - Deputy/Assistant

1. Relationship built on trust
2. Frankness and honesty are critical
3. Debate your point of view but IV
4. Understand who ultimately makes the decision
5. Support that decision publically and move forward
6. Seek to understand the Manager’s decision process
Polling Question #3

Which of the following types of difficult conversations would you most like to see demonstrated in this webinar?
Summary

• Understand and be well versed on the topic at hand (no crib notes allowed);
• Choose your words carefully;
• Remember this is a dialogue - ensure your active listening skills are sharp;
• Be willing to change your decision - if warranted;
• Rehearse (if possible) the discussion
Polling Question #4

Which practices would you like to apply to have great conversations?
Mediation: A Process for Facilitating Difficult Conversations and Dispute Resolution

LaSheila Yates, M.A., SHRM-CP
Civil Rights Executive Director
City of Cedar Rapids Chief Diversity Officer
Advantages of Mediation

• Fair and neutral
• Parties have an equal say in the process and they, not the mediator, decide the terms of the settlement
• There is no determination of guilt or innocence in the process.
• Many mediations are completed in one meeting
• All parties can sign a confidentiality agreement. Information disclosed during mediation will not be revealed to anyone
• A neutral third party assists the parties in reaching a voluntary and mutually beneficial resolution
• Costs less than a lawsuit and avoids the uncertainty of a judicial outcome
What is mediation?

• Mediation is an alternative to the traditional investigative and litigation processes.

• It is an informal process in which a trained mediator assists the parties to reach a negotiated resolution.
Who should participate in the mediation?

• All parties to the disputes that cannot be resolved informally can participate in mediation
  Ex: Disputes between neighbors

• To insure success of the mediation it is imperative that all parties and decision-makers be present and participate in the process

• Representatives should have FULL authority to settle or resolve the dispute
Who is the mediator?

• Mediators are neutral, unbiased professionals with no stake in the outcome of the mediation process

• The mediator does not decide who is right or wrong and has no authority to impose a settlement on the parties.

• The mediator helps the parties to jointly explore and reconcile their differences

• It is recommended that only mediators who are experienced and trained in mediation and the law should to mediate
How does the mediation process work?

• All parties with disputes may request mediation

• If both parties agree, the mediator should schedule the mediation in a neutral location

• If the dispute is resolved during mediation, the mediator may choose to draft a settlement agreement that is signed by both parties
Polling Question #5

What has been the experience of your agency in using mediation?
How should parties prepare for mediation?

• All parties should determine ideas for settlement

• Be prepared to discuss the issues with the mind-frame of moving towards a resolution

• Keep an open mind
What happens the day of mediation?

Each mediator may conduct a mediation slightly differently, but mediations usually follow this structure:

- The mediation begins with an introduction with a joint session attended by all participants
- The procedure is clarified by the mediator and ground rules are established
What happens the day of mediation?

• Parties provide opening summaries that should only last 5-7 minutes be prepared to summarize their position during that session.

• Statements should be non-antagonistic and designed to share important information that could lead to compromise.
How long does the process take??

• The mediator may also separate parties into what’s know as a caucus.

• The caucus allows the mediator to meet with parties individually to again additional facts and find out what parties are seeking in order to resolve the matter.
How long does the process take??

- Mediations usually last for approximately 3-4 hours
- This may vary depending on the facts of presented all parties
What are outcomes of a successful mediation?

- A successful mediation will lead to parties reaching a voluntary and mutually beneficial resolution.

- Some parties may choose to sign a formal settlement agreement.

- If the agreement involves a monetary payment, all parties should agree on how the funds will be exchanged, method of payment, and deadline for providing the payment.
Sample Cedar Rapids
Civil Rights Commission
Settlement Agreements

What should I do if the mediation fails?

• If both parties are unable to reach a resolution, the case will then be closed within your agency.

• If the complaint is not resolved during mediation, the case should also be closed.

• Parties may hire an attorney to help them through this process, but it is not required.
Questions
Contacts for today’s session

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* Robert Beezat, former city manager in MN, WI, and IL, author, *Character-Based Management: a Key to More Productive and Effective Organizations*, consultant with GovHR USA robert@robertbeezat.com
* David Ellis, Deputy County Manager, Wake, NC david.ellis@wakegov.com
* LaSheila Yates, Executive Director and Chief Diversity Officer, Cedar Rapids, IA l.yates@cedar-rapids.org

* Don Maruska, Director, ICMA Coaching Program, and author “Take Charge of Your Talent” ICMAcoaching@donmaruska.com
Post-webinar discussion questions

a. What are difficult conversations where we need to be more effective?
b. What techniques appear desirable for us to employ?
c. How can we practice these skills to gain better results?
Polling Question #6

How was the webinar of value for you and your agency?
ICMA Coaching Program: Thrive in Local Government

Coaching helps everyone benefit from sharing best practices and gaining perspectives from others with a fresh perspective.

Key Services to Thrive in Local Government

The ICMA Coaching Program delivers a suite of services to help you grow and enjoy your career.

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- Digital Agendas and Archives with video recordings and extensive presentation materials and examples from dozens of sessions available in a convenient online library — delivering you "professional development in a box" — when you want it and where you want it.
- 1-1 Coaching Resources to provide personalized support.
- Talent Development Resources to make greater use of your talent and have fun doing it.
- Speed Coaching session at the ICMA Annual Conference and templates for use at local level — expand your networks.
- Career Stories of ICMA leaders and rising stars offering career insights and tips.
- Career Compass columns that address critical career issues.

Find helpful resources online

http://icma.org/coaching

Agenda packets and recordings of past webinars
presentation materials are in Agenda packet at http://icma.org/coachingwebinars — note: you can use your browser to save and/or print items from the Agenda packet
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1-1 Coaching Resources

Video guide

Being a Great Coach and a Winning Player
Welcome to ICMA CoachConnect

ICMA's CoachConnect takes our old coaches gallery and brings the power of data and search to help you find the best coaches for you coach faster. Members and non-members of ICMA at any stage of their career can find a coach to help them with their career, a community issue they want a second opinion on, or even the work-life balance challenges of the profession.

Coaches are encouraged to share expertise, insight, and experiences from their life's work to help others negotiate their own career paths, overcome obstacles, and reinvigorate their passion. Coaches come from ICMA membership, and from our state and national partner organizations.

Players can seek career guidance and new perspectives by reaching out to ICMA-approved coaches ready and eager to help career aspirants or seasoned managers who share the passion for the profession of local government leadership and management.

Need help getting started? Go to icma.org/1-1coaching to review the Being a Great Coach and a Winning Player and other resources, or contact coaching@icma.org for assistance.

Current Players, login to update your profile or find a coach.

Current coaches, login to see your roster of players or update your profile.
Talent Development

Would you like to make greater use of your talent and have fun doing it? Here are resources you can use on your own, with a coach, or across your organization. Create a culture of talent development in the profession.

DID YOU KNOW THAT 30 TO 40% OF TALENT LIES UNTAPPED?
Surveys of hundreds of local government professionals show that even in strong organizations there’s more that people could be contributing. You probably have many ways in which you’d like to grow or develop to advance in your career or keep what you are doing fresh and engaging. Or, perhaps, your opportunities and workload are already overwhelming. There are tools to help you not just survive but thrive.

TAP KEYS TO UNLOCK THE GREATNESS IN YOURSELF AND OTHERS
In their book, *Take Charge of Your Talent: Three Keys to Thriving in Your Career, Organization, and Life*, Don Maruska and Jay Perry describe how everyone can make greater use of their talent and boost their job satisfaction as well. In the following videos, Don Maruska, MBA, JD, Master Certified Coach, and Director of the ICMA Coaching Program, briefly describes the keys and provides real-life examples of how they have made a positive difference for local government professionals and the organizations they serve. If you want to jump to a particular insight or resource, click on “Watch on YouTube” mode, which will give you access to an index of topics by time in the YouTube description. Click on the time segment for what you’d like to see.

To assist you in creating a rewarding new chapter in your talent story, Don has provided a *downloadable copy of the Take Charge of Your Talent Participant Guide - ICMA special edition* that’s complimentary for participants in the ICMA Coaching Program. The Guide is set up so that you can print it out or use it as an interactive PDF that you can fill in electronically as you go along. Even better, share your guide with a coach and benefit from a catalyst for your growth.

Complimentary, downloadable Guide
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12:30 p.m. - 1:45 p.m., Tuesday, October 24
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Register now for upcoming webinar

Tools to Resolve Tough Issues in Your Community
free webinar
10:00 a.m. - 11:30 a.m. Pacific Time (1-2:30 p.m. ET), Thursday, Nov. 9

Register for each webinar at http://icma.org/coachingwebinars.
CHAPTER SEVEN

CHARACTER AND COMMUNICATION

Open and honest communication with the people we manage is one of the most important factors in the success of an organization.

It does the following:

- Brings out the best ideas from everyone in the organization regarding
  - Defining a problem
  - Solving a problem
  - Getting work done more efficiently and effectively
- Builds the commitment from everyone to the goals of the organization
- Maximizes the contributions of each person in the group
- Develops employees’ talents, knowledge, and skills
- Provides a high level of job satisfaction to the manager and the people we manage

What manager would not want all of the above to happen among the people we manage?

There are many books written about the techniques and processes of good communication. I will touch on a few of those topics later in this chapter.

But no communication technique or process will work if staff doesn’t believe the manager is a person of good character.

They will not trust us.

And, if they do not trust us, they will not openly share their ideas and maximize their efforts to attain the goals we all want to achieve for the organization.

So, the first words we should always think of regarding communication when it comes to gaining the trust of the people we manage is to:

Shut Up and Listen!

I mentioned this message on a Post-it note to myself earlier in this book when discussing how important it is for a manager to be learning by listening.
Just as listening is so important to learning in general, it is most important in communicating with the people we manage.

As the old adage goes: “We have two ears and one mouth. Divide your communication time accordingly.”

**Listen Deeply to Understand**

Our best chance of solving a problem when there is a disagreement about some matter is to listen closely to the person or persons with whom we have a difference.

Try to understand what they are saying.

Don’t be thinking of counter arguments.

Don’t be thinking how wrong they are.

Try to understand what they fear if a decision is made that they are opposing.

The first thing people say when they are opposed to something is not always their deepest reason.

People often oppose something because they are afraid of how the decision will hurt them or the organization.

In order to find out what it is that they fear, we must listen deeply and attentively to understand what they are saying.

We have to give them all the time they need to explain their concerns. Though the time spent at the beginning of this type of conversation may seem too time consuming, it is worth taking the time for two reasons:

1. Unless sufficient time is taken to hear what the employee is concerned about, the employee will think and feel that they have not been really heard and understood.
2. If we invest the time now, we will almost always save much more time later on in terms of gaining the respect of and input from this employee in the future; and we will not have to revisit the problem we are trying to solve.

We have to ask them questions to clarify what they mean if we do not understand what they are saying.

Finally, we have to tell them what we think they are saying and see if we understand it fully.

Once both of us agree on what the other person is concerned about, we can then, usually, tell them what we are concerned about.
If we have treated them civilly and with respect, they will usually give us the same treatment.

At this point, we can agree that we understand each other. We do not have to agree with how each of us sees the matter.

Once both of us respect each other and understand what each of us fears, then we can usually start working together to find a solution.

**Listening Takes Time**

Most of us often feel under pressure at work to get things done quickly. That is one reason we tell people what to do instead of taking the time to get their input on what needs to be done and how it might be done better.

On some occasions, a decision needs to be made immediately, and it is the manager’s job to make a decision quickly.

But many decisions do not have to be made immediately.

We do so anyway.

We do it out of habit or because of the bad example set by our managers.

**Listening Takes Courage**

We often make decisions quickly and on our own because we think we will look weak or indecisive if we fail to make an immediate decision.

Getting input and ideas from the people we manage will almost always result in a better solution and a stronger, more engaged, and more motivated work group.

And rather than appearing weak to our employees, our willingness to take input will make us look confident and strong.

**It is Up to the Manager to Make Open Communication Work**

The manager has to lead this process of interchange. Employees are not in a position to conduct such a discussion unless the manager initiates it and guides it along.

Once we go through this process several times without negative consequences for them, employees will trust us and gain the confidence to express themselves openly and positively, problems can be avoided or resolved as soon as practicable.
Employees will see that we are persons open to input, not afraid of disagreement from subordinates, and who respect and genuinely want to work with them to help make them and the organization as successful as it can be.

Investing time in the people we manage will pay off in increased production, creativity, initiative, and commitment.

Investing time in communicating with the people we manage gives us the best chance to solve a problem or make an improvement the first time we try to do so.

**Do What You Say You Are Going to Do**

Nothing builds trust faster or stronger with the people we manage than doing what we say we are going to do, particularly as it relates to them.

One of the things I always did when I started a new management position was to meet individually with the people who reported directly to me to see what I could do to help them do their job. They might need some financial resources, or be having a hard time getting along and working with a peer, or have an employee who was not performing satisfactorily. Sometimes it was as simple as getting a piece of office equipment or a water fountain installed in a place which was more convenient and time saving from a work standpoint. Sometimes it was a work process which the employee had to put up with because it was the preference of their previous boss. The list of possible things that employees wanted to change or make better could be anything. Often, it was more than one thing.

If I listened well, I could always pick out something that was important to them; and that, in my position as their manager, I could help them resolve. It did not have to be the largest matter on their plate. But I would pick out one thing after that conversation; and then, sometime over the next several days, weeks, or even months for some of the larger matters, I would work with that employee to help them resolve the issue they were dealing with.

The people I managed started to gain confidence in our working relationship. They would then bring more issues to our discussions, and we would work together to resolve them.

One of the things I learned early on in managing people was that most of the people we manage already have a pretty good idea of how to resolve a problem.

When I had my first management job running an organization of close to 150 people and a total budget of about $10,000,000 (in 1970 dollars), I was 28 years old. Every one of the managers who reported to me were in their 40’s and 50’s and had been doing their jobs for 10, 15, or 20 plus years. I wondered how I could manage people who knew so much more about their area of work and had many years of experience doing that work.

The first time a manager who reported to me came to me with a problem he was struggling with (about 2 weeks after I started in my new job), he knocked on my door, and asked if he could
come in. I said yes, so he closed the door, and started telling me about a situation in which one of his subordinates was causing problems for the other employees in the work group.

I thought to myself, what the heck can I tell this guy who knows his area of work and the people he supervises better than I do?

So I listened to what he was concerned about.

I asked him some questions so I was sure I understood the issue.

I then asked him what he thought could or should be done.

He had several ideas, but he was not sure how to proceed. And he was not too sure how to proceed for two reasons:

1. He wasn’t sure what would work best.

2. He was concerned that if he made the wrong decision, it would make him look bad to the group he supervised, the employee who was causing the problem, and me, his manager.

We talked about the several alternatives he was considering.

I then discussed with him how what he was proposing fit into the overall management of the organization as I knew it at the time. I also suggested some ideas which he had not thought about before. By the time that discussion was completed, he knew exactly what he was going to do. But now, he had more confidence in his decision, and he had the support of his manager (me).

He went out of my office, began to handle the situation in a way that helped that employee perform better. The group he managed saw how he handled the situation, and they began to work together better.

**Create an Environment Where Your People Can Succeed**

When people you manage have such a successful experience, they usually share that with some of their peers. Soon, all the people who report to you begin to see you as someone who is a resource and can help them solve their problems.

Very importantly, they start to take the same approach with the people they manage. They start listening to each other as well as to the employees they manage. New ideas bubble up all the time. People are not afraid to share their knowledge and experience with each other. People come to work thinking about how things can be done better. They take the initiative to solve problems and create new opportunities for success for themselves and the people they work with.

**Don’t Let Yourself Be Distracted**
It tells an employee that you are not interested in what your employees have to say if you are distracted while conversing with them.

Turn away from your electronic video screens. Mute your phone. Don’t look at other papers on your desk.

Focus your attention on the person you are conversing with. And stay focused.

**Open Body Language Facilitates Good Communication**

Sit or stand in a relaxed, open, and attentive posture.

Look people in the eyes when talking with them.

**Links Between Character and Communication**

People judge us based on how we communicate with and act toward them.

Our character plays a large role in how we communicate with and act toward other people.

And, how we perceive ourselves and others as human beings is a huge factor in how our character is determined.

One key to being a person of character and integrity is based on what we think about people in general.

So let’s think a little about who and what people are.

What are your thoughts about other people? Are people of intrinsic value based on who and what they are? Are they worthy of respect? Do they deserve to be treated with dignity? Do they have knowledge, experience, and ideas that are of value in getting work done effectively and efficiently?

Or are other people basically lazy time-wasters who want to do the minimum to keep their jobs?

There are many evolutionary, philosophical, and theological/religious views of who and what constitutes a human being. I am not going to discuss those ideas in the context of this book. However, for those who are interested in this topic and want to read and think about in more depth, I have written another book titled: *Knowing and Loving: The Keys to Real Happiness*.

A good place to start thinking about others is “Respect others as you wish to be respected.” Think about why you want to be respected. Is it because you think you are smarter than others? Or that you have more experience in some areas than others? Those are legitimate reasons to want to be respected.
But if you think deeply about it, you want to be respected because you think that is what you
deserve. And you think you deserve it because you are a human being. There are qualities about
us as human beings which we think are worthy of respect. Not just what we do as human beings
but who and what we are. I think each of us is a unique person who deserves respect. We have
the capacity to know and love.

If we truly have the viewpoint about ourselves and other people that we all deserve respect, it
becomes part of our character. How we communicate and work with the people we manage will
reflect our true character. The people we manage will know very quickly whether or not we
really respect them.

In summary, good communications between a manager and the people she or he manages will do
the following:

- Brings all of the best information, ideas, and experience of the group to the table.
- Leads to a better solution.
- Builds consensus and commitment.
- Everyone takes responsibility to get the job done.
- We only have to deal with the problem once.
Be a Better You (BABU) Self-Assessment Tool

Ten Activities to Build Your Character and Improve Your Communications

Rate yourself on a scale of 1 to 5 in each Category of Improvement with 5 being the highest score.

<table>
<thead>
<tr>
<th>Rating</th>
<th>Category of Improvement</th>
</tr>
</thead>
<tbody>
<tr>
<td>_____</td>
<td>1. Listening</td>
</tr>
<tr>
<td></td>
<td>Do I really think other people are worth listening to? How well do I listen to understand what the person is really saying? Do I ask questions to help me understand what the other person is saying? Am I willing to invest time in this kind of listening?</td>
</tr>
<tr>
<td>_____</td>
<td>2. Involving our employees in defining and solving a problem</td>
</tr>
<tr>
<td></td>
<td>Do I come to discussions about defining and solving a problem with answers I want my employees to accept or do I welcome honest and broad input which may change my initial ideas? Do I really think my employees have good ideas about how to get work done better and more effectively? Am I willing to invest time in this type of group effort?</td>
</tr>
<tr>
<td>_____</td>
<td>3. Not being afraid to be challenged by the people we manage</td>
</tr>
<tr>
<td></td>
<td>Am I open and willing to changing my mind based on the input of the people I manage? Am I afraid that I will look weak or indecisive if I change my mind? Do I sometimes feel pressure to make decisions in a certain way rather than what I think is the correct way?</td>
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<tr>
<td>_____</td>
<td>4. Helping our people grow</td>
</tr>
<tr>
<td></td>
<td>What have I done to honestly assess the strengths and weaknesses of my employees? Have I assisted them in growing their talents and skills? Do I use discipline primarily as a teaching tool and not to just as a punishment or to make an example of an employee?</td>
</tr>
<tr>
<td>_____</td>
<td>5. Helping our people solve their work-related problems</td>
</tr>
<tr>
<td></td>
<td>Have I asked my employees what they are struggling with which hinders their own productivity and effectiveness, or of someone they manage? Have I made a deliberate effort on a timely basis to help them resolve the matter?</td>
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<tr>
<td>_____</td>
<td>6. Being friendly and genuinely respecting and caring for our employees</td>
</tr>
<tr>
<td></td>
<td>Do I genuinely respect my employees? Do I lose my temper from time to time? Am I friendly and kind to employees? Am I also firm with them when necessary? Do I take their individual and family health issues into account when necessary?</td>
</tr>
<tr>
<td>_____</td>
<td>7. Treating everyone equitably and fairly</td>
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<tr>
<td></td>
<td>Am I perceived as favoring one or more employees? Do I show the same patience and understanding to everyone? Do I equitably share praise for work that is well done by an individual or a team?</td>
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<tr>
<td>_____</td>
<td>8. Always learning as broadly as possible</td>
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<tr>
<td></td>
<td>Do I have a plan and am I willing to invest time to broaden my base of knowledge? What have I learned recently that was not work-related and new to me? Am I willing to invest time in broadening my base of knowledge?</td>
</tr>
<tr>
<td>_____</td>
<td>9. Being a person of our word</td>
</tr>
<tr>
<td></td>
<td>Do I always do what I say I will do? Am I reliable and dependable? Do I get things done within the time frame I promised? Do I tell the truth even when it is unpleasant? Am I trustworthy?</td>
</tr>
<tr>
<td>_____</td>
<td>10. Being healthy</td>
</tr>
<tr>
<td></td>
<td>Do I exercise regularly? Do I eat a healthy diet? Do I do things which are relaxing and refreshing to my body and mind? If not, what is my plan to exercise regularly and/or eat healthier? Do I meditate? Am I willing to invest time in getting healthier?</td>
</tr>
</tbody>
</table>

Pick out 1 or 2 areas in which you want to improve. Then write a brief statement of what you will do to “Be a Better You.”
Quarterly Review

5 Measurements of Organizational Improvement

In addition to developing our character, skills, and talents along the lines of the 10 Categories listed on the previous page, it is also important to take time on a quarterly basis to assess our progress as a manager and as an organization regarding the following goals:

Here is a tool you might find helpful to measure your progress in these important character related management practices, organizational improvement, and job satisfaction.

**Am I Bringing Out the Best in the People I Manage?**

<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Needs Improvement</td>
<td>Some Progress</td>
<td>Much Better</td>
<td>Very Good</td>
</tr>
</tbody>
</table>

**Am I and My Team Making Better Decisions?**

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<tr>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Needs Improvement</td>
<td>Some Progress</td>
<td>Much Better</td>
<td>Very Good</td>
</tr>
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</table>

**Are My Employees More Committed to Each Other & the Organization?**

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<thead>
<tr>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Needs Improvement</td>
<td>Some Progress</td>
<td>Much Better</td>
<td>Very Good</td>
</tr>
</tbody>
</table>

**Is Productivity & Effectiveness Increasing?**

<table>
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<tr>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
</tr>
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<tbody>
<tr>
<td>Needs Improvement</td>
<td>Some Progress</td>
<td>Much Better</td>
<td>Very Good</td>
</tr>
</tbody>
</table>

**Has My Job Satisfaction Increased?**

<table>
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<tr>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not at All</td>
<td>A Little Bit</td>
<td>Much Better</td>
<td>Great!</td>
</tr>
</tbody>
</table>

For additional assistance in assessing and improving your character, please go to the website for my book [www.characterbasedmanagement.net](http://www.characterbasedmanagement.net) for an app to assist you and/or contact me at rbeezat@govhrusa.com.
1.5(7) Request for Reconsideration: Pursuant to section 69.13(f)(4), the complainant, after a finding of no probable cause, may file a written request for reconsideration to the chairperson. Any such request shall be made in writing within ten (10) days of the receipt of the no probable cause decision. The request shall be limited to a summary of new information that was not discovered at the time of the determination that no probable cause existed, or that the action upon which the information is based has happened since the time of the determination, or that the decision was rendered in opposition to case law, administrative rulings, etc.

Upon application, the executive director shall consider the request for reconsideration. If the request is denied, the complainant will be notified in writing of the denial of such request. If the request is granted, the matter will be referred to the staff who will consider any new evidence and secure new information as may be necessary and appropriate and file a report with recommendations to the chairperson or a designated member of the Commission.

If it is determined that no probable cause exists, an order shall be issued dismissing the complaint. If it is determined that probable cause exists, or that further investigation is necessary, the staff shall be directed accordingly.

1.5(8) The Conciliation Process: In accordance with the Ordinance, sections 69.13(f)(5)-(8), the CRCRC’s Standard Operating Procedures, all cases that result in findings of probable cause shall be assigned to a staff person for the purpose of initiating attempts to eliminate the discriminatory or unfair practice by conference, conciliation, and persuasion. When a conference is held pursuant to this section, a synopsis of the facts that led to the finding of probable cause, along with written recommendations for resolution, will be presented to the respondent.

1.5(9) Participants in Conciliation: Both the complainant and the respondent shall be notified in writing of the time, date, and location of any conciliation meeting. The complainant may be present during attempts at conciliation, if feasible.

1.5(10) Limitation of Conciliation: Upon the commencement of conciliation efforts the Commission must allow a period of thirty (30) days for the parties to reach an agreement. After the passage of thirty (30) days the executive director may order further conciliation attempts bypassed if the procedure is determined to be unworkable. The director must have the approval of the Commission chairperson or their designee before bypassing conciliation.

1.5(11) Conciliation Agreements: A conciliation agreement shall become effective after it has been signed by the respondent or authorized representative, the complainant or authorized representative, and by a commissioner or the executive director on behalf of the Commission. Copies of the agreement shall be served on all parties.

1.5(12) Compliance Review: The Commission may require any party to submit to the Commission such compliance reports as it deems necessary to show the manner of compliance with the terms of any conciliation agreement to which the parties and Commission may have agreed. At any time in its discretion, the Commission may investigate whether the terms of the agreement are being complied with by the respondent. Upon determining that the terms of the agreement are not being complied with, the Commission may take appropriate action to ensure compliance, including but not limited to re-opening the case for further processing.

1.6 ADMINISTRATIVE HEARINGS:

1.6(1) When Hearing Ordered: If the Commission determines probable cause exists that a discriminatory practice has occurred and if conciliation attempts have failed, the Commission shall
**POTENTIAL DAMAGES WORKSHEET (NON-HOUSING)**

Mediation is a process in which both parties attempt to come to an agreed upon resolution. Generally, the Complainant starts with a proposal. The Respondent then accepts the offer, proposes a counter-offer, or rejects the offer and ends settlement negotiations. The Complainant responds to the Respondent’s proposal in the same way. This process continues until an agreement is reached, or one or both parties decide to end negotiations and move forward with the investigation process. If negotiations are unsuccessful and the investigation results in a no probable cause finding, the Complainant would not be entitled to any settlement, regardless of previous settlement negotiations. Please see below for items to be considered for potential damages.

<table>
<thead>
<tr>
<th>QUESTION</th>
<th>Check those that apply OR assign a monetary amount.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Do you believe you are entitled to relief such as that listed below? If so, please explain why you believe so.</td>
<td></td>
</tr>
<tr>
<td>a. A new position you believe you should have been granted</td>
<td></td>
</tr>
<tr>
<td>b. A new work schedule</td>
<td></td>
</tr>
<tr>
<td>c. Working at another location of the company</td>
<td></td>
</tr>
<tr>
<td>d. Removal of disciplinary actions based on discriminatory acts from your personnel file</td>
<td></td>
</tr>
<tr>
<td>e. Getting your job back</td>
<td></td>
</tr>
<tr>
<td>f. A letter of recommendation</td>
<td></td>
</tr>
<tr>
<td>g. A job reference that only lists your dates of employment, most recent rate of pay, position and/or job duties</td>
<td></td>
</tr>
<tr>
<td>h. Other</td>
<td></td>
</tr>
<tr>
<td>Comments:</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Subtotal N/A</td>
<td></td>
</tr>
</tbody>
</table>

2. Do you believe you are entitled to monetary compensation for items which may include the following? When providing an amount of money, please explain how you arrived at the figure.

|                                                                         |                                                    |
| a. A raise in an amount you believe is warranted                       |                                                    |
| b. Payment for what you would have earned had you not been fired, including lost vacation pay, bonus, and/or raises |                                                    |
| c. Payment for the amount of wages you would have earned up until the time you found a new job |                                                    |
| d. If you have taken a new job for a lower rate of pay, payment of the difference in what you are earning at the new job and the amount you were earning at this job (over a reasonable period of time). |                                                    |
| e. Payment for any medical expenses you incurred as a result of the discrimination |                                                    |
| f. Payment for emotional distress you suffered                         |                                                    |
3. How did Respondent’s actions cause you to respond?

- e.g., crying, yelling, becoming preoccupied with thoughts of discrimination, having difficulty making decisions, etc.

<table>
<thead>
<tr>
<th>Comments:</th>
<th>Subtotal</th>
</tr>
</thead>
</table>

4. Did Respondent’s actions affect you emotionally? If so, please describe how so.

- e.g., anger, sadness, humiliation, intimidation, depression, etc.

<table>
<thead>
<tr>
<th>Comments:</th>
<th>Subtotal</th>
</tr>
</thead>
</table>

5. Did Respondent’s actions negatively impact your personal relationships?

- e.g., feelings of distrust towards others; negative feelings toward family friends, coworkers, customers/clients; decreased desire to socialize, etc.

<table>
<thead>
<tr>
<th>Comments:</th>
<th>Subtotal</th>
</tr>
</thead>
</table>

6. Did Respondent’s actions cause you to experience any physical symptoms?

- e.g., headaches, stomach pain, lost sleep, nightmares, nausea, etc.

<table>
<thead>
<tr>
<th>Comments:</th>
<th>Subtotal</th>
</tr>
</thead>
</table>

**NOTE:** You may consult with a lawyer at any time regarding your requested damages. Please note each case is unique and the appropriate damages may differ with each case.
SETTLEMENT AGREEMENT

CRCRC: CRH-009077-2017
HUD: 07-17-5872-8

BETWEEN

DANIEL SMETZER

AND

MAPLEWOOD MANAGEMENT, LLC,

AND

CEDAR RAPIDS CIVIL RIGHTS COMMISSION

PARTIES AND SUBJECT PROPERTY

Complainant, Daniel Smetzer, brings this action of alleged discriminatory treatment in housing based upon his protected status as a person with a mental disability, against Maplewood Management LLC. The address of the subject property, an 8-unit multi-family dwelling, is 210 32nd St NE, #5, Cedar Rapids, Linn County, Iowa.

STATEMENT OF FACTS

1. A complaint was filed on February 7, 2017 with the Cedar Rapids Civil Rights Commissioner ("the Commission") alleging that the Complainant was injured by a discriminatory act of Respondent. Complainant alleges that Respondent violated Section 69.19(b)(6)(iii)(b)(1) of the Cedar Rapids Civil Rights Code ("Code") and Sections 804 (f)(2)(A) and 804 (f)(3)(B) of the Fair Housing Act as amended in 1988, 42 U.S.C. 3501 et seq., ("Act") on the basis of mental disability, when Property Managers Gary and Robin Brown indicated to him that Owner Catherine Payvandi would not allow him to have a companion animal in his apartment.

EFFECTIVE DATE

2. The parties expressly agree this Agreement constitutes neither a binding contract under state or federal law, nor a Conciliation Agreement, unless and until such time as it is signed by all parties and approved by the Executive Director of the Cedar Rapids Civil Rights Commission ("Executive Director"), or his or her designee.

CP Initials ☐  RP Initials _____
3. This Agreement shall become effective on the date it is signed by the Executive Director, or his or her designee.

STANDARD PROVISIONS

4. The parties acknowledge this Agreement is a voluntary and full settlement of the disputed complaint. It is understood the signing of this Agreement does not constitute an admission by Respondent of any violation of the Code or the Act, nor any judgment by the Commission as to the merits of the charge or the terms of the settlement. The parties affirm they have read and fully understand the terms set forth herein. No party has been coerced, intimidated, threatened, or in any way forced to enter into this Agreement.

5. Complainant withdraws his complaint filed with the Commission as to all named parties. Complainant understands if the underlying complaint was dual-filed with the U.S. Department of Housing and Urban Development ("HUD") this Agreement also applies to HUD. Complainant affirms the withdrawal is of his own free will. Complainant understands no further investigation into the matters that are the subject of this agreement will take place.

6. Respondent agrees all housing and all terms and conditions of housing, shall be maintained and conducted in a manner which does not discriminate on the basis of race, creed, color, sex, age, religion, gender identity, marital status, familial status, national origin, sexual orientation, physical or mental disability, and/or association with a protected class in violation of Chapter 69 of the Municipal Code of Cedar Rapids, Iowa.

7. Respondent agrees there shall be no discrimination, harassment, or retaliation of any kind against Complainant, or any other person, for filing a charge under Chapter 69 of the Municipal Code of Cedar Rapids, Iowa; or because of giving testimony and/or assistance, or participating in any manner in any investigation, proceeding or hearing under Chapter 69 of the Municipal Code of Cedar Rapids, Iowa; or because of lawful opposition to any practice forbidden under Chapter 69 of the Municipal Code of Cedar Rapids, Iowa. Respondent further acknowledges that any subsequent retaliation or discrimination constitutes both a material breach of this Agreement, and a statutory violation of the Code and the Act, if applicable.

8. After it has been signed by the Executive Director, or his or her designee, this Agreement is binding upon Respondent, its employees, heirs, successors and assigns and all others in active concert with it in the ownership or operation of the subject property.

9. Respondent and Complainant understand this Agreement shall be made public, unless the Secretary of HUD, if dual-filed, determines disclosure is not required to further the purpose of the law. This does not bar Complainant from seeking counsel from an attorney or an income tax professional for tax purposes.

10. This Agreement does not in any way limit or restrict the Commission's authority to investigate any other complaint involving Respondent made pursuant to the Fair Housing Act, or any other complaint within the Commission's jurisdiction.

11. Complainant and Respondent agree this Agreement constitutes the entire Agreement and there are no other terms to the Agreement except those specified herein. No amendment to,
modification of, or waiver of any provisions of this Agreement shall be effective unless: (a) all signatories or their successors to the Agreement agree in writing to the amendment, modification or waiver; (b) the amendment, modification or waiver is in writing; and (c) the amendment, modification, or waiver is approved and signed by the Executive Director, or his or her designee.

12. The parties agree the execution of this Agreement may be accomplished by separate execution of consents to this Agreement, with the original executed signature pages to be attached to the body of the Agreement to constitute one document.

13. Complainant hereby forever waives, releases, and covenants not to sue the Commission, HUD, or Respondent, its heirs, executors, assigns, agents, employees and attorneys with regard to any and all claims, damages and injuries of whatever nature whether presently known or unknown, arising out of the subject matter of this complaint, or which could have been filed in any action or suit arising from said subject matter, subject to the performance by Respondent of the promises and representations contained herein.

14. Respondent hereby forever waives, releases, and covenants not to sue the Commission, HUD, or Complainant and its successors, assigns, agents, officers, board members, employees and attorneys with regard to any and all claims, damages and injuries of whatever nature whether presently known or unknown, arising out of the subject matter this complaint or which could have been filed in any action or suit arising from said subject matter.

15. Respondent, Complainant and all associated parties agree that neither they nor their representatives will disparage the other party. Disparage as used herein shall mean any communication of false information or the communication of information with reckless disregard to its truth or falsity. Respondent also agrees it shall not make any statements, either internally or externally, that reflect adversely on complainant.

16. The parties understand the terms of this Agreement and enter into it voluntarily.

17. The terms of this Agreement will not establish any precedent, nor will the Agreement be used as a basis by Complainant, Respondent and/or any representative party or organization to seek or justify similar terms in any civil action or subsequent case.

RELIEF FOR COMPLAINANT

18. The Parties have agreed Respondent shall pay the Complainant the amount of $500.00 (five hundred dollars and zero cents) for emotional distress and moving expenses and shall also refund Complainant his full security deposit of $400.00 (four hundred dollars and zero cents). The check in the amount of $900.00 (nine hundred dollars and zero cents), payable to Daniel Smetzer, shall be delivered to the office of the Cedar Rapids Civil Rights Commission (50 2nd Avenue Bridge, 7th Floor, Cedar Rapids, Iowa 52401) on or before March 10, 2017. Complainant acknowledges and agrees that he has not received any tax planning advice from the Commission, Respondent or Respondent’s attorneys. Complainant further agrees that in the event any taxing authority determines that the settlement payment, or any part of it, is subject to tax, Complainant shall be liable for any and all tax obligations. Complainant further agrees to indemnify and hold the Commission and Respondent harmless from and for
any and all penalties or taxes assessed or imposed by any federal, state, and/or local taxing authority against the Commission or Respondent for or on account of penalties and/or taxes allegedly due and owing with respect to the Settlement Funds.

RELIEF FOR PUBLIC INTEREST

19. Respondent agrees to refrain from interfering with any person in the exercise or enjoyment of the right to purchase, sell, rent, or occupy a dwelling in any manner that might result in, or be interpreted as an act of discrimination on the basis of race, color, creed, sex, age, religion, national origin, gender identity, marital status, physical or mental disability, familial status, sexual orientation, and/or association of a protected class in violation of the Act or the Code.

20. Property Owner, Catherine Payvandi, and Property Managers, Gary Brown and Robin Brown, shall attend a free Fair Housing training provided by the Cedar Rapids Civil Rights Commission to be arranged at their convenience within 90 days of the signing of the Settlement Agreement. Respondent is also encouraged to call the Cedar Rapids Civil Rights Commission, (319)286-5036, whenever discrimination questions arise.

COMPLIANCE PROVISIONS

21. This Agreement constitutes the complete understanding between Complainant, Respondent and the Cedar Rapids Civil Rights Commission, who are all parties to this Agreement. This action does not reflect any judgment by the Cedar Rapids Civil Rights Commission as to the merits of the charge or the terms of the settlement.

22. Respondent agrees that the Commission may review compliance with this Agreement. As part of such review the Commission may require written documents concerning compliance, interview witnesses, and examine and copy documents for demonstration of compliance with the case specific terms of this Agreement.

23. All parties agree to close this case as being satisfactorily resolved and to take no further action relating to the investigation of this matter, subject to the performance by Respondent of the promises and representations contained herein.

24. Within ten (10) days of the effective date of this Agreement, Respondent shall inform all of its agents and employees responsible for compliance with this Agreement, including any officers and board members, and any employees or staff who deal with tenants or pass judgment on rental/sales applicants or their applications, of the terms of this Agreement and shall provide each such person with a copy of this Agreement.

25. The Commission shall determine whether Respondent has complied with the terms of this Agreement. As part of such determination the Commission may inspect Respondent's property identified above in this Agreement, examine witnesses, and copy pertinent records of Respondent. Respondent agrees to provide its full cooperation in any monitoring review undertaken by the Commission to ensure compliance with this Agreement.

26. Within one hundred and twenty days (120) days of the effective date of this Agreement, the Respondent shall submit to the Cedar Rapids Civil Rights Commission a written report and/or documents substantiating that Respondent has performed the remedial actions
required under the "Relief for Complainant" and "Relief for Public Interest" sections of this Agreement. Said report shall also include all steps taken in Compliance with the provisions of this Agreement and shall include any letters of notification or other correspondence sent to any person in connection therewith. Said report and/or documents will be directed to the Cedar Rapids Civil Rights Commission, Executive Director, 50 2nd Avenue Bridge, 7th Floor, Cedar Rapids, Iowa 52401.

27. It is understood by all parties that “Respondent” throughout this Agreement refers to both or either Maplewood Management LLC and Catherine Payvandi, and Payvandi signs this Agreement on behalf of both. Accordingly, it is understood that “Complainant” throughout this Agreement refers to Daniel Smetzer and he signs this Agreement himself.

CONSEQUENCES OF BREACH

28. Whenever the Commission has reasonable cause to believe that the Respondent has breached this Agreement, action may be taken in District Court to enforce this Agreement.

SIGNATURES

DATE: 3/21/2017
Daniel Smetzer, Complainant

DATE: ______________________
Catherine Payvandi, Owner (Respondent)

DATE: 3/6/2017
LaSheila Yates, Executive Director
Cedar Rapids Civil Rights Commission
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CONSEQUENCES OF BREACH

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SIGNATURES

DATE: ________________  Daniel Smetzer, Complainant

DATE: 3/2/17  Catherine Payvandi, Owner (Respondent)

DATE: 3/6/2017  LaSheila Yates, Executive Director
Cedar Rapids Civil Rights Commission
Polling Results from “Strategies for Having Difficult Conversations” – webinar

October 11, 2017

984 locations; 2552 estimated participants in live audience

<table>
<thead>
<tr>
<th>Question</th>
<th>Options</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>How many people are listening on your line?</td>
<td>74% just myself, 15% 2-5, 6% 6-10, 4% 11-20, 1% 21 or more</td>
<td></td>
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<tr>
<td>What skills would you like to develop further?</td>
<td>44% listening, 71% giving effective feedback, 54% enhancing positive character-related behaviors, 33% practicing</td>
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<tr>
<td>Which of the following types of difficult conversations would you most like to see demonstrated in this webinar?</td>
<td>48% Personnel-related, 30% Citizen/Resident-related, 21% Elected Official-related, 14% Manager-Deputy/Assistant-related</td>
<td></td>
</tr>
<tr>
<td>Which practices would you like to apply to have great conversations?</td>
<td>47% understand and be well-versed on the topic, 39% choose words carefully, 37% remember it's a dialogue - use active listening, 36% be willing to change your decision, if warranted, 32% rehearse the discussion</td>
<td></td>
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<tr>
<td>What has been the experience of your agency in using mediation?</td>
<td>31% We've used it, and it works in the right situations, 23% We've tried it, and we've had mixed results, 10% We haven't tried it, but we are thinking about it, 29% We haven't considered using mediation, 7% other</td>
<td></td>
</tr>
<tr>
<td>How was this webinar of value to you and your agency? (check all that apply)</td>
<td>53% identifying different types of difficult conversations, 79% learning ways to address conversations successfully, 48% seeing examples of techniques in practice, 56% gaining helpful resources - online &amp; Agenda packet resources, 65% being motivated to try new approaches and improve</td>
<td></td>
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</tbody>
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